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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

RICK FUTIA,

Case No. C 07-4360-HRL

Plaintiff,

NOTICE OF WAIVER OF RIGHTS TO
DAMAGES IN EXCESS OF \$4,000

v.

JJ and W COMPANY,

Defendants.

_____ /

NOTICE IS HEREBY GIVEN that for purposes of this Action, Plaintiff hereby waives any and all rights he may have to seek or recover damages, regardless of type, which total in excess of \$4,000.

October 11, 2007

S/Thomas N. Stewart, III
Attorney for Plaintiff